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Craftsbury Common, VT 05827
October 24, 1997and copy to
thisSecretary, Federal Communications Commission
1919 M Street NW
Washington, DC 20554RECEIVED
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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

To Whom it May Concern:

My name is Anne Molleur Hanson. I was born and raised in Vermont. As a private citizen who has lived in different parts of the U.S. and abroad, I have chosen to reside in my home state mainly because of the quality of life available here. Though job opportunities are meager in our corner of Vermont, most people who reside here are willing to sacrifice opportunity for economic prosperity for the privilege of living in an area whose quality of life and physical beauty more than make up for access to high-paying jobs and contemporary career benefits. Indeed, the beauty of our rural landscape is vital to much of our livelihood--jobs based on Vermont's seasonal tourist industry. People from all over the world travel to Vermont to experience this unique part of America, whose essence has been retained largely because of a State law, Act 250, which guides development in our state. Because of Act 250 and the local land use plans it has inspired, ours is a state which carefully considers the impacts of proposed development, especially development which may alter the character of an area. This proactive approach has helped our state retain a character which is unique even among the other New England states. It is an approach essential to the economic well-being of our primary industry, tourism.

In considering the above, I am alarmed at the recent and I would have to say aggressive attempts by the private businesses whose profits are based in the cell phone industry to cover with cell towers (200 are proposed state-wide) some of the most scenic assets in our state--undeveloped mountain tops. We as citizens are told by these businesses that their actions are mandated by the 1996 Telecommunications Act, that because universal cell phone service has been deemed "essential," they can, with no

regard for aesthetics, history, wilderness, health concerns or the basic desires of citizens as expressed through their local zoning boards and town plans, site these obtrusive towers where and when they please. Time and again in our state, the desires of local citizens regarding the siting of such towers have been preempted by a heavy-handed, extremely well-financed industry whose conduct resembles more that of a federal regulatory agency than of an industry purportedly regulated by a federal agency. I am gravely concerned that new regulations proposed under FCC 97-303 will further preempt the few review powers currently reserved for local and state entities under the 1996 Telecommunications Act regarding the siting of cell towers. Furthermore I feel that while this technology makes sense for some parts of our state, e.g. the interstate corridors, the topography of our state poses some natural limitations to this technology, short of the siting of hundreds of towers in each niche and cranny of Vermont, which would seriously imperil the aesthetic appeal of our rural state.

There are three paragraphs within proposed rule FCC 97-303 which I find of particular concern. The first, paragraph 127, references section 253 of the Act, and contains language which apparently renders null and void the power of our state laws (under Act 250) and local zoning boards to have a say in where cell towers will be sited. I find this language in violation of the self-determination rights of states and their citizens, and object to any further preemption of state and local rights to determine appropriate locations for cell towers. Currently Bell Atlantic/Nynex Mobile is attempting to site a cell tower on the most scenic, undeveloped mountain in my hometown, and is unwilling to consider any sites which may be more appropriate to its residents. This paragraph would enhance, not limit BANM's ability to say what goes where, and would enable their uncompromising approach.

Paragraph 141 likewise contains language which seems to limit the opportunity for private entities, seemingly including local and state land trust and Nature Conservancy properties, to have a say in where cell towers will be sited. Much of the scenic and wild land in our state is protected under trust and preserve covenants, and it is highly inappropriate for these covenants to be superseded or "reviewed" by the FCC. The

language in this paragraph intimates that the FCC apparently seeks a mandate to do both, and I object to this.

I am also concerned with verbiage in paragraph 150, which apparently would narrowly limit who could be considered a party with legal standing regarding placement of cell towers. I am offended that citizens in any way affected by siting of these towers will be disallowed to comment on or request relief on siting. Frankly, I feel that these decisions which so strongly impact our state should be decided at the state level within state guidelines like Act 250, and not arbitred by an agency located hundreds of miles away.

As a citizen of the state of Vermont, I respectfully submit these comments, hoping that the Federal entity tasked with regulating the telecommunications industry will do so in the broader interests of citizens, rather than in the somewhat narrower interests of the businesses whose profits are derived from this industry.

Sincerely,



Anne Molleur Hanson

TO: Ed Barron, Senator Patrick Leahy's office

FAX NUMBER: (202) 224-3479

FROM: Anne Molleur Hanson

DATE: 10/24/97

Mr. Barron:

Thank you for your assistance in submitting comment to the FCC re: the proposed rule on cell tower regulation. Attached is my letter to the FCC, which I understand your office will copy and deliver to the Commission.